

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Wright Pride Family Trust

Case No. 2:25-cv-3377-RMG

Plaintiff,

v.

J.P. Morgan Chase, N.A., *et al.*,

Defendants.

ORDER

Before the Court is the Report and Recommendation (R&R) of the Magistrate Judge (Dkt. No. 13) recommending that the Court summarily dismiss this action without prejudice and without service of process and render all pending motions moot because Plaintiff has attempted to proceed *pro se* when that is not permitted for a Trust. The Magistrate Judge directed Plaintiff to have counsel appear on its behalf but received no response. Plaintiff has further failed to file any objections to the R & R.

I. Legal Standard

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that

“in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

II. Discussion

The Magistrate Judge correctly advised the Plaintiff that an entity such as a trust may not appear *pro se* and must be represented by counsel. Since counsel failed to appear on the Plaintiff’s behalf, the Magistrate Judge correctly concluded that the case should be dismissed without prejudice and without service of process.

III. Conclusion

In light of the foregoing, the R&R is **ADOPTED** as the Order of the Court (Dkt. No. 13), all pending motions are declared moot, and the case is **DISMISSED** without prejudice and without service of process.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

June 24, 2025
Charleston, South Carolina